Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

Part I: Measure Information

Bill Request #: 1126
Bill #: HB 285
Document ID #: 2907
Bill Subject/Title: AN ACT relating to pregnant inmates.
Sponsor: Representataive Attica Scott
Unit of Government: X City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Jails
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 285 would amend KRS 196.173 to require that a pregnant inmate of a state or county facility, or one who has given birth in the last six weeks, be provided "reasonable accommodations" for provision of certified professional midwife or doula services. The bill would require the certified midwife or doula be granted facility access, be allowed to attend and assist during labor and childbirth if feasible, and have access to the inmate's health care information if authorized by the inmate.

Whether, or how much, fiscal impact HB 285 would have on local governments is indeterminable. The bill does not specify who would bear financial responsibility for the midwife or doula services. In most circumstances medical expenses for county inmates in county jails are paid out of the county jail budget. Jails may only reimburse an outside provider for those services up to the amount Medicaid would reimburse for the same service. If Medicaid would not reimburse for a service then a county jail would not either. If a pregnant county inmate is hospitalized for 24 hours or more then Medicaid will pay for the services provided by the hospital. If the county receives a per diem for housing a state

inmate, the county is responsible for all medical expenditures for the inmate, including any in excess of the per diem.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II applies to HB 285 as introduced. There is no prior version for comparison.

Data Source(s): Department of Corrections, Division of Community Facilities; Kentucky

Jailers' Association

Preparer:Mary StephensReviewer:KHCDate:2/9/21